



Independent Communications Authority of South Africa

MINUTES OF THE COUNCIL MEETING HELD ON 31 MARCH 2025			
Time:	09:00am		
Venue:	EP-CF THABO MBEKI		
Present			Chairperson
			Councillor
			Councillor
			Councillor
			Councillor
By Invitation			CEO
			CFO
			Executive: LRCCC
			Manager: Internal Audit / ACAE
			Corp Secretary
			Graduate - Council
			Secretariat Officer
Partial Attendees			Executive: Licensing and Compliance
			Executive: Policy Research and Analysis
			Senior Manager: Type Approval & Numbering / Acting Executive: Regions and Consumer Affairs
			Manager: Customer Complaints & Dispute Resolution
			Senior Manager: Spectrum Monitoring & Research
			Senior Manager: Spectrum Licensing
			Senior Manager: Social Policy for ICT Services
			Senior Manager: Compliance
			Manager: Broadcasting Compliance
			Manager: ECS/ECNS Compliance
			Manager: Service Broadcasting
			Specialist: Spectrum Management
			Research Specialist: Network System
			Research Specialist: Radio Communication
			Specialist: Post Office

No.	Action Item	Person Responsible
1.	Opening and apologies 1.1 The Chairperson welcomed the attendees and declared the meeting open.	Chairperson
2.	Ratification of agenda Council sought to focus the agenda on time-bound matters, in light of 31 st March 2025 marking the end of the 2024/25FY. Therefore, Council resolved to defer item 4.1 (Council Minutes-20 March 2025) and item 5 (Matters Arising – 20 March 2025) to the next Council meeting. The agenda was adopted with the above-mentioned changes.	All
3.	Declaration of interest No conflict of interest was noted.	Council
4.	Council Minutes – 20 March 2025 The item was deferred to the next Council meeting.	Corporate Secretary
5.	Matters Arising – 20 March 2025 The item was deferred to the next Council meeting.	Corporate Secretary
6.	CEO Report The item was presented by the CEO. <u>Council comments</u> 6.1 [REDACTED] [REDACTED] [REDACTED] [REDACTED] 6.2 [REDACTED] [REDACTED] [REDACTED] 6.3 [REDACTED] [REDACTED] [REDACTED]	CEO

No.	Action Item	Person Responsible
	<p>[REDACTED]</p> <p>6.4 [REDACTED]</p> <p>6.5 [REDACTED]</p> <p>6.6 [REDACTED]</p> <p>Council resolved to note the report as presented.</p>	
7.	<p>Twenty-one (21) Broadcasting Compliance Annual Reports</p> <p>The item was presented by the Executive: Licensing and Compliance, assisted by the Manager: Broadcasting Compliance.</p> <p><u>Council comments</u></p> <p>7.1 Council emphasised the need to review the measures implemented to address past non-compliance and assess the effectiveness along with conducting a trend analysis to evaluate their impact. This is on the backdrop of allegations that the Authority is shutting down community radio stations.</p> <p>7.2 Management recommended a comprehensive report focusing on past instances of non-compliance, identifying trends, and assessing the adequacy of the current regulations, particularly in light of the high non-compliance rate among community radio stations. The report will also highlight both the direct and indirect harm caused by non-compliance, especially regarding disruptions to community services to ensure better understanding of the broader impact.</p> <p>7.3 Council proposed a dedicated project to tackle the non-compliance of community radio stations, involving more frequent monitoring and targeted interventions to ensure adherence to broadcasting regulations.</p> <p>7.4 Council highlighted the need for closer collaboration with these community radio stations and deliberated on whether stricter enforcement measures, along with additional resources for compliance monitoring, were necessary. A project could be</p>	CEO / Executive: Licensing and Compliance

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	<p>developed to highlight station failures and demonstrate to Parliament the need for increased resources to effectively address these issues.</p> <p>7.5 Council urged that the Authority should be proactive in bringing regulatory solutions that can prevent these recurring issues, highlighting the need to align compliance expectations with actual realities of the industry.</p> <p>7.6 It was also noted that communication regarding compliance should be clearer, with a stronger emphasis on the consequences of non-compliance.</p> <p>Council resolved to approve the submission as presented.</p>	
8.	<p>Twenty-three (23) Broadcasting Compliance Annual Reports</p> <p>The item was presented by the Executive: Licensing and Compliance, assisted by the Manager: Broadcasting Compliance.</p> <p>Council resolved to approve the submission as presented.</p>	<p>CEO / Executive: Licensing and Compliance</p>
9.	<p>Postal Compliance Annual Report</p> <p>The item was presented by the Executive: Licensing and Compliance, assisted by the Senior Manager: Compliance and the Specialist: Post Office.</p> <p><u>Council comments</u></p> <p>9.1 Council emphasised that the lessons from past non-compliance and operational inefficiencies must inform current and future regulatory interventions, especially within the confines of the existing legislative framework pending amendment of the Postal Services Act.</p> <p>9.2 Council was informed that the SAPO licence renewal application has been received and that a Council Committee in this regard should be established. Council directed that the proposed resolution/terms of reference for the Committee be brought to Council for consideration and approval.</p> <p>9.3 Council requested a clear assessment of what went wrong previously, what requires fixing, and what conditions should be incorporated into the renewed licence to ensure improved compliance. It was noted that this presence an opportune moment to be bold in setting out regulatory expectations for the postal sector.</p>	<p>CEO / Executive: Licensing and Compliance</p>

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	<p>9.4 Council noted and raised concerns regarding the fact that the SAPO Business Rescue Practitioners had resolved to shut down certain post office outlets without following due processes of the Authority. Council sought clarity on the extent of approval required from the Authority in relation to these post offices' closures and requested a historical account of decisions taken since 2014/15, when Council initially approved a retail rebalancing strategy.</p> <p>9.5 Council conceded that it remains essential to clearly document ICASA's role and limitations and emphasised the need for the Business Rescue Practitioners to provide accurate responses to public and parliamentary queries. This is particularly important given growing community dissatisfaction ahead of upcoming elections. It was agreed that factual, evidence-based communication is necessary to clarify ICASA's authority in these matters and maintain public trust in its regulatory mandate.</p> <p>Council resolved to approve the submission as presented.</p>	
10.	<p>ECS / ECNS Compliance Annual Report</p> <p>The item was presented by the Executive: Licensing and Compliance, assisted by the Senior Manager: Compliance</p> <p><u>Council comments</u></p> <p>10.1 Council sought clarity on the status of dormant licences and emphasised the need for enhanced internal monitoring mechanisms. It was recommended that existing internal dashboards be utilised more effectively to access live data.</p> <p>10.2 Council directed the team to prepare a consolidated report clarifying: The status of all original USO obligations (including deliverables by licensees such as Vodacom, MTN, Cell C, and Telkom); The extent to which these have been met are outstanding; The process for addressing non-compliance, including possible sanctions or consequences and; How these obligations relate to new obligations under the recent spectrum auction.</p> <p>10.3 It was noted that a background report on the historical USO framework had been prepared and submitted but was not currently on the agenda. Council advised that this report be updated and incorporated into current deliberations to provide the necessary context.</p> <p>Council resolved to approve the submission as presented.</p>	<p>CEO / Executive: Licensing and Compliance</p>



No.	Action Item	Person Responsible
11.	<p>Research Report on the Review of the Regulations regarding the Code of Conduct for Broadcasters</p> <p>The item was presented by the Executive: Policy Research and Analysis assisted by the Senior Manager: Social Policy for ICT Services.</p> <p><u>Council comments</u></p> <p>11.1 Council requested a plan outlining next steps for AI implementation (following the adoption of the AI Framework), including required actions, resources, and funding.</p> <p>11.2 A concern was raised about the seeming shift towards content regulation amid developments in broadcasting and the convergence with streaming services. It was suggested that the Authority explore collaboration with the Film and Publication Board (FPB) and other relevant stakeholders, given the increasingly blurred lines between broadcasting and telecommunications.</p> <p>Council resolved to note the submission as presented.</p>	CEO / Executive: PRA
12.	<p>Research Report on the Review of the Regulations regarding the Commissioning of Independently Produced South African Programming</p> <p>The item was presented by the Executive: Policy Research and Analysis, assisted by the Senior Manager: Social Policy for ICT Services.</p> <p><u>Council comments</u></p> <p>12.1 Council emphasised that the PRA Division should help recalibrate the APP to ensure it aligns with broader policy goals.</p> <p>Council resolved to note the submission as presented.</p>	CEO / Executive: PRA
13.	<p>Radio Frequency Migration Plan</p> <p>The item was presented by Cllr [REDACTED] supported by the Research Specialist: Radio Communication</p> <p>Council resolved to approve the submission as presented.</p>	Cllr [REDACTED]
14.	<p>Findings from the Inquiry on the effects of Loadshedding in the Electronic Communications and Broadcasting Sector</p>	Cllr [REDACTED]

No.	Action Item	Person Responsible
	<p>The item was presented by Cllr [REDACTED] supported by the Senior Manager: Spectrum Monitoring & Research and the Manager Customer Complaints & Dispute Resolution.</p> <p><u>Council comments</u></p> <p>14.1 Council expressed concern regarding the feasibility of the NRS standards, citing cost and technical limitations. It was noted that many licensees are already non-compliant, and relief without a cost-benefit analysis could lead to regulatory uncertainty.</p> <p>14.2 Council re-iterated that licensees must maintain business continuity plans, including alternatives to Eskom such as generators or solar power. Loadshedding should not be an excuse for service failure.</p> <p>14.3 It was also noted that some licensees may be overstating losses despite reporting profits. Operational challenges like vandalism should be addressed through community partnerships and not used to justify regulatory relief.</p> <p>14.4 Council observed that the inputs and shared concerns by the licensees, focused on existing regulatory burdens than proposing concrete, evidence-based solutions for maintaining service continuity during loadshedding.</p> <p>Council resolved to approve the submission as presented.</p>	
15.	<p>Findings – Consultative Process on the Satellite Licensing Framework</p> <p>The item was presented by Cllr [REDACTED] supported by the Specialist: Spectrum Management and the Senior Manager: Type Approval & Numbering.</p> <p><u>Council comments</u></p> <p>15.1 It was noted that the Committee has already begun deliberations on the next steps, including benchmarking and potential regulatory amendments. The current leaning is towards amending existing regulations, particularly the spectrum cost framework.</p> <p>15.2 However, it was clarified that the Committee cannot pre-empt the process in the findings document, as the direction will depend on the outcomes of the benchmarking exercise. Flexibility will be maintained to adapt to best practices where necessary.</p>	Cllr [REDACTED]

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	<p>15.3 Council raised concerns about the absence of certain key stakeholders, such as the National Space Agency (SANSA), Department of Trade and Industry (DTIC), and the Space Council, from the discussions, and questioned whether they should be included moving forward, especially in light of the growing national drive for a space programme.</p> <p>15.4 It was noted that while these entities provided valuable written submissions and initially expressed interest in participating in the public hearings, they later withdrew. SANSA also requested to participate late in the process but was informed that the input period had closed.</p> <p>15.5 Council indicated that the DTIC is launching the National Space Council, which will be key in the context of space-related issues and should be considered in the ongoing process. Engagement with the DTIC and the new Space Council members would therefore be crucial, particularly regarding space exploration initiatives.</p> <p>Council resolved to approve the submission as presented.</p>	
16.	<p>Implementation Plan for the Recommended Strategy for 5G, Future and Emerging Technology</p> <p>The item was presented by Cllr supported by the Research Specialist: Network System.</p> <p>Council resolved to confirm that it has considered the submission.</p>	Cllr [REDACTED]
17.	<p>Report regarding IMT Licensing Process</p> <p>The item was presented by Cllr [REDACTED] supported by the Senior Manager: Spectrum Licensing.</p> <p>Council resolved to note the submission as presented.</p>	Cllr [REDACTED]
18.	<p>Report on the Licensing Process for Community Television Broadcasting and Radio Frequency Spectrum Licences</p> <p>The item was presented by Cllr [REDACTED] supported by the Manager: Service Broadcasting.</p> <p><u>Council comments</u></p> <p>18.1 Council advised t that a "risk section" be added to the report to highlight potential litigation risks relating to the outlined intentions. Similarly, all submissions with pending court cases</p>	Cllr [REDACTED]

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	<p>should include a section indicating and addressing these risks, to enable proper tracking.</p> <p>Council resolved to note the submission as presented.</p>	
19.	<p>Budget and Procurement Plan</p> <p>The item was presented by the CFO.</p> <p><u>Council comments</u></p> <p>19.1 [REDACTED]</p> <p>19.2 [REDACTED]</p> <p>19.3 [REDACTED]</p> <p>19.4 [REDACTED]</p> <p>19.5 [REDACTED]</p> <p>19.6 [REDACTED]</p> <p>19.7 [REDACTED]</p> <p>[REDACTED]</p>	CEO / CFO

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20.	Materiality Framework The item was presented by the CFO. Council resolved to approve the framework as presented.	CEO / CFO
21.	Amendments to the Disaster and Business Continuity Management Policy The item was presented by Executive: LRCCC. Council resolved to approve the submission as presented.	CEO / Executive: LRCCC
22.	Closure The Chairperson thanked all who were present at the meeting and declared the meeting adjourned at 16h55.	Chairperson



Mothibi G. Ramusi
(ICASA Chairperson)

Date: 15/05/2025